

Quarterly Report, Quarter IV 2007

October 2007

Issue	Date	Event	Significance
<b>Component III (MCC 4.2)</b>			
Regulatory Reform and WTO	10/9/2007	Presidential Secretariat Working Group on Entrepreneur Development met and agreed on the text of six laws that will be submitted to the new VR.	The draft laws are consistent with the President's decree "On Urgent Measures of Improving Regulation of Entrepreneurial Activity in Ukraine" (9/3/07). Four of the six laws were developed with assistance from TIBA (see below).
		Law of Ukraine "On amending the Law of Ukraine "On Permit System in the Sphere of Economic Activity"	The amendments introduce silent consent principles, eliminate imperfections and loop holes related to the OSS administrator status, permit issuing procedures and scope of the law.
		Law of Ukraine "On the List of Permit-Related Documents in the Sphere of Economic Activity"	The law introduces the general list of permit-related documents which streamline permit-issuing and will not allow permit-issuing bodies create new permit documents.
		Law of Ukraine "On amending Certain Laws of Ukraine related to Permits for Construction Object Location"	The law sets clear and unified procedures of permit-issuing for construction object location, including terms, cost, and responsibilities.
		Law of Ukraine "On Market Supervision"	The law establishes the framework of surveillance of goods to ensure compliance with safety, health, environmental and other legislative requirements and prevents deceptive practices.
Regulatory Reform	10/23/2007	Press Conference to present President's initiatives aimed at improving conditions for doing business in Ukraine	TIBA facilitated a press conference at the UNIAN news agency. Mr. Oleksandr Shlapak, 1st Deputy Head of the Presidential Secretariat, and other members of the Presidential Secretariat Working Group (including TIBA) presented Presidential initiatives to national and regional printed and broadcast media. Legal initiatives include 6 draft laws to be submitted to the newly formed Parliament of Ukraine as urgent ("On amending the Law of Ukraine "On Permit System in the Sphere of Economic Activity", "On the List of Permit-Related Documents in the Sphere of Economic Activity", "On amending Certain Laws of Ukraine related to Permits for Construction Object Location", "On Market Supervision", "On amending Certain Laws of Ukraine related to licensing of economic activity", "On amending Certain Laws of Ukraine related to standardization and certification")
Regulatory Reform	10/25-26/07	SCRPE seminar on "The Permit Issuance System, State Regulatory Policy, Licensing, and State Registration"	The seminar was jointly sponsored by TIBA and SCRPE. SCRPE decided to increase its use of administrative sanctions to enforce regulatory policy and team with national and regional prosecutor generals offices in doing so. This could be an important step in enforcing regulatory policy in the area of permits and fighting corruption. SCRPE also agreed to pursue the establishment of Oblast level OSSs. TIBA has supported these initiatives and has agreed to assist SCRPE as needed.

November 2007

Issue	Date	Event	Significance
<b>Component III (MCC 4.2)</b>			
Regulatory Reform	11/6/2007	The Ministry of Justice and the Land Resources Agency signed a joint order for the formation of a working group to develop amendments to legislation to remove overlapping administrative control of property transactions.	As reported earlier, this working group was formed in August under an order from Land Resources Agency. This new order is significant in that it is a <b>joint</b> order and reaffirms both government entities' commitment to the TCP IP. TIBA is a member of the working group.
Regulatory Reform	11/6/2007	SCPRE issued a resolution for the implementation of Task 5.1 of the USAID/TIBA work plan calling for the creation of a working group to develop draft laws on amending laws to bring them in compliance with the Permit System Law.	This is a very proactive action that was not required by the GOU for the implementation of the MCC TCP IP (4.2). Members of the working group are the Ministry of Health, the Ministry of Regional Development and Construction, the Ministry of Emergencies, the State Agency for Land Resources, State Committee for Industrial Safety, Labor Protection, and Mining Oversight, and IFC.). According to the resolution SCPRE and TIBA are co-chairs of the working group.
Regulatory Reform	11/12/2007	Round Table in Chervonohrad (Lviv Oblast) on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	11/13/2007	Round Table in Lviv on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	11/14/2007	Round Table in Ivano-Frankivsk on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	11/14/2007	The Presidential Secretariat working group to improve the business environment scheduled a meeting for November 20, 2007	This goal of the meeting is to finalize the list of laws on which they will focus. TIBA has recommended that the list include <b>a.</b> amending construction related laws ("On Planning and Housing System", "On Architectural Activity", "On Fundamentals of City Planning") to bring them in compliance with the Permit System Law <b>b.</b> amending the Land Code, Civil Code and the Law of Ukraine "On the State Registration of Rights for Immovable Property and Property Limitations" and elaboration of a new Law "On State Land Cadastre" to remove overlap in the process of administrative control for property transactions <b>c.</b> elaboration of a new law to implement zoning principles. If the working group accepts TIBA's recommendations it will go a long way to moving the TCP IP component 4.2 forward.
Regulatory Reform	11/15/2007	Round Table in Ternopil on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	11/16/2007	Round Table in Kamyanyets-Podilsky (Khmelnysky Oblast) on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	11/16/2007	TIBA identified approximately 45 laws and by-laws that the GOU must create or amend in order to fulfill its obligations under the MCC TCP IP component 4.2.	This is a daunting task and the GOU should be strongly encouraged by the USG to begin work immediately if the milestones in the GOU's IP are to be met. TIBA will provide methodological assistance and expert support as stipulated in the GOU's IP.

Regulatory Reform	11/20/2007	The Presidential Secretariat working group to improve the business environment met	Working group finalized the list of draft laws on which they would focus in the nearest future. Respecting TIBA's recommendations the members of working group approved the list which included <b>a.</b> amending construction related laws ("On Planning and Housing System", "On Architectural Activity", "On Fundamentals of City Planning") to bring them in compliance with the Permit System Law <b>b.</b> amending the Land Code, Civil Code and the Law of Ukraine "On the State Registration of Rights for Immovable Property and Property Limitations" and elaboration of a new Law "On State Land Cadastre" to remove overlap in the process of administrative control for property transactions <b>c.</b> elaborating a new law to implement zoning principles.
-------------------	------------	--	--

## December 2007

Issue	Date	Event	Significance
<b>Component III (MCC 4.2)</b>			
Regulatory Reform	12/5/2007	Construction permits working group meeting to discuss proposals on amending Laws in construction sphere to bring them in compliance with the Permit System Law (PSL)	The event demonstrates that the GOU is moving forward on the implementation of its MCC IP component 4.2. As per its commitments in the TCP IP, TIBA participated in the event and facilitated discussion.
Regulatory Reform	12/11/2007	Preparation of analytic note related to property registration issues	TIBA will disseminate analysis of existing situation in the sphere of property registration
Regulatory Reform	12/12/2007	Meeting with members of Real Estate Committee of AmCham	TIBA updated businesses on current situation with property registration issues to get them involved into the process of improvement of registration system.
Regulatory Reform	12/13/2007	Meeting with representatives of the World Bank (Alexander Kaleberda)	Discussion of the property registration issues to get WB projects involved into the process of improvement of registration system.
Regulatory Reform	12/18/2007	Presentation: Best Practices and Regulatory Recommendations for Soil and Water Protection	TIBA presented best international practices to the State Ecology Inspection so that it can amend laws and regulations for soil and water protection as per the GOU's TCP IP. This is part of TIBA's commitment in the TCP IP and Task 5.7 of the TIBA task order.
Regulatory Reform	12/18/2007	Round Table in Konotop (Sumy Oblast) on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/18/2007	Round Table in Sumy on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators, and Entrepreneurs and Unification of Permits Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/19/2007	SCRPE working group meeting on drafting of amendments to construction laws (3 laws), fire inspection law, sanitary law and labor protection law, to bring them in compliance with PSL (discussion of drafting procedure, responsibilities and schedule)	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/19/2007	Round Table in Kharkiv on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).

Regulatory Reform	12/20/2007	Meeting with Mr. Adamov, Deputy Governor of Donetsk	Discussion on creating a permit-issuing OSS at the oblast level and simplification permit procedures in construction at the oblast level. This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/20/2007	Round Table in Kupyansk (Kharkiv Oblast) on "Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures"	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/20/2007	Construction permits working group meeting	Continuation of discussions of proposals on amending laws in the construction sphere to bring them into compliance with the Permit System Law. This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/21/2007	Meeting with Mr. Kulakov, the Head of Permit Department of the city council executive committee of Donetsk	Discussion on creating a permit-issuing OSS at the oblast level and simplification permit procedures in construction at the oblast level. This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).
Regulatory Reform	12/21/2007	Round Table in Chuguyiv (Kharkiv Oblast) on Optimizing Relations between Local Permit-Issuing Authorities, OSS Administrators and Entrepreneurs and Unification of Permit-Issuing Procedures	This event contributes to Component 4.2 of the GOU's TCP IP and is part of TIBA's assistance to the GOU for fulfillment of its commitments (TIBA TO Task 5.2).